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TO: Permit Section Staff
Plan Review Unit Staff
District Staff

FROM: Robert Eckdale - AM/7

SUBJECT: s. NR 424.03 (Process line rule) Guidance

This memo is in response to a recent request and will address general issues related to the application and interpretation of s. NR 424.03. Other guidance on the technological infeasibility of 85% control and the determination of latest available control techniques and operating practices (LACT) can be found on the AIRPTS95 file service in file SEC_7 of the GUIDANCE subdirectory.

Applicability/Exemptions

Section NR 424.03 is a generic catch-all organic compound control rule. Other chapters should first be examined to determine if a control requirement or emission limitation more specific to the type of facility in question exists. If a more specific rule does exist to which the facility is subject, that rule is applied instead. Applicability of s. NR 424.03 should only be examined where a facility is exempt from a more specific rule, or where a more specific rule does not exist.

The exemptions in s. NR 424.03(1), and the emission limitations in s. NR 424.03(2), apply on an individual process line basis. Individual process line emissions should not be aggregated when determining exemption, or compliance, status.

Significant Definitions

The **Southeastern Wisconsin Intrastate Air Quality Control Region** referred to in s. NR 424.03(1)(a)1. consists of the counties of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington and Waukesha. (see s. NR 404.03(2)(b))

Process line is defined in s. NR 400.03(128) to mean one or more actions or unit operations which must function simultaneously or in sequence in order to manufacture or modify a product. This is a broad and flexible definition, and questions about how to apply it are more easily answered in the context of a specific situation. However, a few general comments and examples are offered here.

One key concept to remember in applying this definition is that the operation must result in the manufacture or modification of a product. As an example, a subcontractor who stains wood picture frames for the frame manufacturer is modifying a product, while there is no product to be offered in the case of a contractor who paints a bridge or water tower on-site.

Probably because the exemptions in s. NR 424.03(1) apply to individual process lines, one of the most common

questions raised is whether a particular set of unit operations constitute a single or multiple process lines. Coating operations again serve as good examples. Assume that a company stains and clear coats wood picture frames for a single manufacturer, and that all frames are stained at a dip tank and then clear coated at a spray booth. Since both unit operations must occur in sequence to complete the product, and all product goes through both operations, the process line clearly consists of both the dip tank and the spray booth. As another example assume the subcontractor uses the dip tank to apply a stain to only some of the picture frames, and uses the spray booth to paint others. In this case, the dip tank and the spray booth are used independently and each results in a final product by itself. Therefore, each constitutes a separate process line.

While real life is usually not this simple and clear-cut, a company's specific method of operation and how its actions or unit operations relate to each other will determine if one or multiple process lines exist. Typically, the more products and the more diverse and flexible or independent the unit operations are, the more likely that multiple process lines exist.

Clean-up Solvent

While a single process line can include product degreasing operations, clean-up or housekeeping solvent use has not historically been included when defining those unit operations which make up a single process line. A common example of where clean-up solvent is not considered part of a process line is solvent used to clean printing presses.

RACT Election Provision

If a facility meets the specific applicability provision of a RACT emission limitation in ss. NR 422.05 to 422.155, but is exempt from that requirement, applicability of s. NR 424.03 needs to be determined. If the facility is then subject to s. NR 424.03, the facility may "elect", under s. NR 424.03(3), to meet the specific emission limitation in ch. NR 422 (in lieu of meeting the emission limitations in s. NR 424.03(2)). The applicable rule remains s. NR 424.03, and the appropriate code citation to be used in a permit or administrative order in this case is s. NR 424.03(3).

Upcoming Rule Revisions

Several revisions have been made to s. NR 424.03 as part of Natural Resources Board Order AM-09-95. (See the Air Management Technical Guidance Service, file P:\Rules\AM_ORDRS\POSTHEAR\AM-09-95.04B for the specific language.) These revisions are expected to be promulgated and effective by the end of 1995, and include:

- * Repealing the hourly threshold in the exemptions in NR 424.03(1)(a)3. and 4.
- * Referencing "volatile organic compound" emissions (instead of "organic compound emissions") for purposes of the exemptions in NR 424.03(1)(a)3. and 4.
- * Referencing "volatile organic compound" emissions for purposes of the control requirement for post-August 1, 1979 process lines, in s. NR 424.03(2)(b).

- * Extending use of latest available control techniques and operating practices, as determined by the department, to pre August 1, 1979 sources where the source can satisfy the technological infeasibility demonstration.

Let me know by E-Mail (DNRVAX::ECKDAR) or phone (608 266-2856) if you have any questions.

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